



DEPARTMENT OF CONSERVATION
STATE OF CALIFORNIA

December 10, 2003

DIVISION OF
RECYCLING

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801 K STREET
MS 19-01
SACRAMENTO
CALIFORNIA
95814

PHONE
916/323-3836

FAX
916/327-2144

TDD
916/324-2555

INTERNET
consrv.ca.gov

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ARNOLD
SCHWARZENEGGER
GOVERNOR

NOTICE

To: All Certified Recyclers and Processors

Subject: Enforcement of Provisions of Assembly Bill 28

Assembly Bill 28 changed the California Beverage Container Recycling Program. Effective January 1, 2004 California Redemption Value (CRV) will increase to 4¢ for beverage containers less than 24 ounces and 8¢ for containers 24 ounces or more.

The Division of Recycling will be monitoring CRV volume increases and will be verifying the validity of those volume increases. In addition, the Division will be monitoring log and receipt volumes for year-end cut-off.

Recycling centers and processors should pay special attention to their inspection procedures to ensure that only CRV-eligible material is paid and claimed as CRV. In addition, recyclers should be satisfying all of the requirements of Section 2525(a) of the California Code of Regulations, which includes recording the following information on your purchase receipts and logs as the transaction takes place:

1. The total weight or count of materials by material type (the recycling center shall comply with Section 2535(g) but may treat different colors of glass as different material types only for recordkeeping purposes).
2. The total payment made by the recycling center or the amount paid for each material type.
3. The basis for the refund value payment (e.g. segregated and counted, segregated and weighed, commingled, or, if no refund value is paid, indicate scrap only).
4. The certification number of the recycling center.
5. The date of the sale or donation.
6. The printed name and signature of the person selling or donating the material, or a statement explaining why such could not be obtained.

7. For purchases of fifty dollars (\$50.00) or more, additional information identifying the person selling or donating the material. The additional information shall be either: the person's valid driver's license number and the state of issuance or vehicle license number and state of issuance. If neither identifying item is available, a California Identification Card number may be substituted. In the absence of any of these items of identification, a statement shall be required explaining why the additional information could not be obtained. Be certain that you are getting all additional identifying information on every load over \$50.00 in CRV.

Recyclers are also required to report all loads of aluminum containers over 250 pounds to the Division of Recycling on a weekly basis. Failure to record and provide this information, as well as the information required in Section 2530(i) of the California Code of Regulations, will result in the assessment of penalties.

Purchasing out-of-state or previously redeemed containers could result in the loss of certification and imposition of penalties, as well as criminal fraud charges. Any suspect loads or suspect illegal activity should be reported to the Division by calling 1-866-226-5623.

The Division of Recycling has established partnerships with a number of law enforcement agencies, both in and out of State over the past three years. Over 80 individuals have been arrested and prosecuted or are awaiting prosecution for committing fraud against the Recycling Program. Penalties of up to four years in prison have been imposed. Certified recyclers have lost their certifications and have been assessed substantial fines for their crimes.

For additional information on changes to the program resulting from Assembly Bill 28, please log onto the Department of Conservation's website at www.consrv.ca.gov.

Sincerely,

Jim Ferguson
Assistant Director
for Recycling